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N C R W Q C B

JAN 30 2009

January 28, 2009

Ms. Lauren Clyde
Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

<input type="checkbox"/> EO	<input checked="" type="checkbox"/> WMgmt LRC	<input type="checkbox"/> Admin
<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
<input type="checkbox"/> Reg/NPS	<input type="checkbox"/> Cleanups	<input type="checkbox"/> Nat'l

Subject: Comments on the Proposed Basin Plan Amendment

Dear Ms. Clyde:

The purpose of this letter is to express the Town of Windsor's support for the proposed *Basin Plan Amendment to Establish Exception Criteria to the Point Source Waste Discharge Prohibitions by Revising the Action Plan for Storm Water Discharges and Adding a New Action Plan for Low Threat Discharges* (Low Threat BPA). The Town of Windsor manages both storm water and treated wastewater within the Russian River Watershed; and withdraws its potable water supply from the Russian River basin through wells adjacent to the River. The Town is therefore directly affected by the proposed Low Threat BPA and believes it is protective of the variety of uses and resources in the watershed.

We agree with Water Board staff and other local agencies that the proposed Low Threat BPA is needed to address the conflict between regional and statewide permits that allow year-round low threat discharges, and the existing prohibitions in the Basin Plan. We also believe the proposed Low Threat BPA will promote sustainable water management strategies within the Russian River Watershed including measures such as recycled water, conservation and low impact development best management practices (BMPs).

The Town is supportive of water recycling efforts and has implemented a number of recycling projects to offset the use of potable water supplies for landscape irrigation. The Town plans to implement even more urban recycling, consistent with its water master planning and Capital Improvement Program, with potable offset benefits as part of the adoption of this BPA.

A key condition of the revised Storm Water Action Plan included in the Low Threat BPA is the "...implementation of an approved BMP program by the regulated storm water entity that focuses on the elimination or reduction of pollutants in storm water and non-storm water flows and minimization of volume and discharge rate of non-storm water flows." The Town agrees that conditions such as these will reduce impacts from low threat discharges to water courses. In fact, the Town has experience with the installation of extensive BMPs for urban and agricultural irrigation management. Additionally, the Town is in agreement with Regional Water Board staff's desire to see both recycled water and potable water not be "wasted" on overwatering narrow strips of turf. Given the proposed revisions to the Storm Water Action Plan, the Town believes the Low Threat BPA can lead to more aggressive but sensible management of irrigation and therefore

the Low Threat BPA should not be viewed as a relaxation of regulations on discharges to local water courses.

The proposed Low Threat Discharge Action Plan would impose the requirement that all such discharges "comply with applicable water quality objectives." The Town supports the notion that, by definition, a low threat discharge must not adversely affect beneficial uses. The proposed language, however, is overly restrictive and ambiguous. It is overly restrictive in that a low volume, low threat discharge could contain a constituent at a concentration that exceeds a water quality objective but does not cause the objective to be exceeded in waters of the State. It is ambiguous in that some water quality objectives are expressed as an allowable receiving water quality change relative to ambient conditions (e.g., turbidity, temperature), which means that compliance cannot be assessed in the discharge alone. Based on these considerations, the Town proposes the following revision to page 3 of the proposed Low Threat Action Plan:

"2. The discharge shall not cause ~~comply with all applicable~~ water quality objectives to be exceeded."

The Low Threat BPA as written will enhance the protection of beneficial uses of water resources. It recognizes the realities that are associated with the construction, maintenance and operation of potable and recycled water systems.

The Town of Windsor appreciates the Regional Water Board staff's efforts to bring this important policy matter to the Board for consideration and thanks the Board for making this possible. We appreciate your consideration of these comments, and we support adoption of the proposed Basin Plan Amendment.

Sincerely,



Richard W. Burt, Director of Public Works, Town of Windsor

cc: Dave Richardson, RMC